In the High Court of Uttaranchal at Nainital.

A.O. 674/2001
(Old No. 72 of 1986)

Union of India through the
Secretary Ministry of Defence
New Delhi .....Appellant.

Vs.

Harbans Lal Gupa and 2 others .....Respondents.

Ms. Anjali Bhargava, learned counsel for the appellant.
None appear for the respondent.

Dated: 21-08-2004

Hon'ble Rajesh Tandon, J.

The present appeal has been filed against the impugned order of comepsnation dated 21.2.1986 passed by the Additional District Judge, Dehradun, under section 92-A of the Motor Vehicles act.

Briefly stated the facts of the case are that Sri Harbans Lal Gupta had suffered grievous and multiple injuries in an accident when the motor cycle carrying him on the pillion collided with another motor vehicle of the Defence Ministry. It was alleged that the motor cycle on which the claimant was riding on the pillion seat, was being driven by Govind Singh Bisht and belonged to Union of India. As the motor cycle had collided, the claimant Harbans Lal Gupta had suffered fracture of the leg apart from other injuries. According to the medical certificate issued by Dr(Major) V.K. Mehta, it was fully proved that he was admitted in the hospital on 11.11.1983 and was discharged on 10.1.1984 and his leg has become shorter and he is unable to work properly and to carry out his usual duties skillfully and effectively.

In view of the aforesaid facts and circumstances, since the award has been made for an amount of Rs. 7,500/- under section 92-A of the Motor Vehicles Act, I find no illegality in the impugned order and the appeal is liable to be dismissed.

The appeal is hereby dismissed.

(Rajesh Tandon, J.)

ISB